

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

JOEL ROSENFIELD IRA, On Behalf of Itself )  
and All Others Similarly Situated, )  
Plaintiff, ) Case No. 1:17-cv-10309-DJC  
v. ) ) The Honorable Denise J. Casper  
CYNOSURE, INC., MICHAEL R. DAVIN, )  
WILLIAM O. FLANNERY, BRIAN M. )  
BAREFOOT, ETTORE V. BIAGIONI, )  
MARINA HATSOPoulos, and THOMAS )  
H. ROBINSON, )  
Defendants. )  
)

**NOTICE OF WITHDRAWAL OF  
PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION**

Plaintiff Joel Rosenfeld IRA, by counsel, hereby withdraws its motion seeking a preliminary injunction. In support of this withdrawal, Plaintiff states:

1. The hearing on Plaintiff's motion for preliminary injunction is currently set for Thursday, March 9, 2017, at 10:00 A.M.

2. Defendant Cynosure, Inc. will file an amended Schedule 14D-9 with the United States Securities and Exchange Commission that will moot the claims raised in Plaintiff's motion for preliminary injunction.

3. Plaintiff no longer intends to request a preliminary injunction, and accordingly requests that the Court vacate the hearing scheduled for March 9, 2017 at 10:00 A.M.

4. Plaintiff's counsel has spoken with counsel for Defendants who have appeared in this Action, and they have no objection to the withdrawal of the motion or vacating of the hearing date.

Dated: March 7, 2017

**MATORIN LAW OFFICE, LLC**

**OF COUNSEL:**

**WEISSLAW LLP**

Richard A. Acocelli  
Michael A. Rogovin  
Kelly C. Keenan  
1500 Broadway, 16th Floor  
New York, New York 10036  
Tel: (212) 682-3025  
Fax: (212) 682-3010

By: /s/ Mitchell J. Matorin  
Mitchell J. Matorin (BBO# 649304)  
18 Grove Street, Suite 5  
Wellesley, MA 02482  
(781) 453-0100  
mmatorin@matorinlaw.com

*Attorneys for Plaintiff Joel Rosenfeld  
IRA*

**Certificate of Service**

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on March 7, 2017.

/s/ Mitchell J. Matorin

